

Notice of Allowability

Application No.

09/996,488

Examiner

Inder P Mehra

Applicant(s)

SCOTT ET AL.

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment dated 12/10/04.
2. ☒ The allowed claim(s) is/are 27-44.
3. ☒ The drawings filed on 28 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1/12/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This office action is in response to response dated 12/10/04. Based on this response, claims 1-26 are cancelled and claims 27-44 are pending

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sidney L. Weatherford, Attorney, Regd. No. 45,602, on 1/11/05.

The application has been amended as follows:

- Claim 27 as amended is as follows:

27. (Currently Amended) A method for communicating between nodes in a network via a switched virtual circuit (SVC) wherein the SVC is not broken down between communication episodes, the method comprising:

establishing a connection between the nodes by:

monitoring current bandwidth usage between a first and second nodes node;

determining whether transmissions between the first and second nodes exceed a predetermined threshold value;

responsive to the transmissions exceeding the predetermined threshold value, establishing at least one SVC between the first and second nodes, wherein ~~each~~ a first end of the at least one SVC is connected to a first endpoint that is further connected to a first virtual termination (VT) present in the first node and a second end of

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the at least one SVC is connected to a second endpoint that is further connected to a second VT present in the second node; and

responsive to a request from ~~an~~ a first end user in the first node to connect to ~~an~~ a second end user in the second node, connecting said first end user to the first VT in the first node and connecting to the second end user via the ~~previously~~ established at least one SVC and the second endpoint in the second node ~~to~~ and the second VT in the second node; and

upon receiving a request to disconnect the first end user and the second end user users, disconnecting the first end user from the first VT in the first node and the second end user from the second VT in the second node while maintaining the SVC between the first and second nodes even though the SVC is idle.

- In claim 29, line 1, "SVC(s)" has been changed to ---SVC---
- In claim 30, line 1, after "wherein", ---the step of---has been added.
- In claim 30, line 3, "SVC(s)" has been changed to ---SVC---
- In claim 32, line 2, after value, ",", has been deleted.
- In claim 33, line 1, "of allowing the SVC to stay connected" has been changed to read as ---"including maintaining the SVC"---
- In claim 34, line 1, after "wherein", ---both--- has been added.
- In claim 34, line 2, after "both", ---the---has been added.
- In claim 35, line 3, after "threshold", ---value--- has been added.
- In claim 35, line 4, after "threshold", ---value--- has been added.
- Claim 36 has been amended as follows:

36. (Currently Amended) A system for communicating between nodes in a network via a switched virtual circuit (SVC) wherein the SVC is not broken down between communication episodes, the system comprising:

~~at least two nodes~~ a first node and a second node, each node comprising means for establishing at least one virtual termination within the ~~in the associated~~ node wherein the at least one virtual termination is utilized for connecting an end user to the SVC; and

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a controller for establishing a connection between nodes comprising means for:
by

monitoring current bandwidth usage between ~~a first and~~ the first node and
the second node;

determining whether transmissions between the first node and the second node
~~nodes~~ exceed a predetermined threshold value;

establishing at least one SVC between the first node and the second node
~~nodes~~ if the transmissions exceed the predetermined threshold value, wherein
~~each~~ a first end of the SVC is connected to a first endpoint that is further
connected to a first virtual termination (VT) present in the first node and a second
end of the SVC is connected to a second endpoint that is further connected to a
second VT present in the second node;

responsive to a request from ~~[[an]]~~ a first end user in the first node to
connect to ~~[[an]]~~ a second end user in the second node, connecting said first end
user to the first VT in the first node and connecting the second end user to the
second VT in the second node; and

~~for~~ disconnecting the SVC ~~connection~~ between the first node and the
second node by receiving a request to disconnect the first end user and the
second end user users; and
disconnecting the first end user in the first node from the first VT and the second end user
in the second node from the second VT while maintaining the SVC between the first
node and the second node ~~nodes~~ even though the SVC is idle.

- In claim 38, line 1, "SVC(s)" has been changed to read as --- "SVC"---;
- In claim 38 line 2, after "first", "and second nodes" has been changed to read as ---
node and the second node---
- In claim 39 line 1, after "includes", ---means for--- has been added.
- In claim 39 line 3, "SVC(s)" has been changed to read as "SVC".

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- In claim 40, line 2, after “first”, “and second nodes” has been changed to read as ---
node and the second node---.
- In claim 41, line 2, after value, “,” has been deleted.
- In claim 43, line 1, after “first”, “and second nodes” has been changed to read as ---
node and the second node---.
- In claim 43, line 2, after both ---media---has been added.
- Claim 44 has been amended as follows:

44. (Currently Amended) The system of claim 43, wherein the media gateway controller monitors the transmissions between the first node and the second node nodes, compares the monitored ~~measured~~ transmissions to the predetermined threshold value and upon determining that the monitored transmissions exceed the predetermined threshold value, connects the SVC between the media gateways.

Allowable Subject Matter

3. Claims 27-44 are allowed.

REASONS FOR ALLOWANCE

4. The following is an examiner’s statement of reasons for allowance:

As recited in claim 27,

“responsive to a request from a first end user in the first node to connect to a second end user in the second node, connecting said first end user to the first VT in the first node and connecting to the second end user via the established at least one SVC and the second end point in the second node and the second VT in the second node; and

upon receiving a request to disconnect the first end user and the second end user, disconnecting the first end user from the first VT in the first node and the second end user

from the second VT in the second node while maintaining the SVC between the first and second nodes even though the SVC is idle”.

As recited by claim 36,

“responsive to a request from a first end user in the first node to connect to a second end user in the second node, connecting said first end user to the first VT in the first node and connecting the second end user to the second VT in the second node; and disconnecting the SVC between the first node and the second node by receiving a request to disconnect the first end user and the second end user; and disconnecting the first end user in the first node from the first VT and the second end user in the second node from the second VT while maintaining the SVC between the first node and the second node even though the SVC is idle”.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder Pal Mehra 1/13/05
Inder P Mehra
Examiner
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